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ROTHWELL, FIGG, ERNST & MANBECK, P.C.  
1425 K STREET, N.W.  
SUITE 800  
WASHINGTON, DC 20005

EXAMINER

RIMELL, SAMUEL G

ART UNIT	PAPER NUMBER
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2175

DATE MAILED: 08/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/730,538

Applicant(s)

CLENDINNING ET AL.

Examiner

Sam Rimell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

  
**SAM RIMELL**  
**PRIMARY EXAMINER**

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Perkowski (U.S. Patent 5,950,173).

Claim 1: Figures 4A1, 4A2 and 4B illustrate a relational table that form part of a database. The identifiers are the column headings, such as “Registrant’s Name” and “Product Description”. For each identified product (which is listed in each row) a plurality of product attributes are provided, such as a company name, a company product model, a trademark, and a URL where the user can obtain more information about that product. Column 25, lines 1-64 describe five different data collector mechanisms which are capable of collecting data for building the relational database. Each described data collector retrieves data from sources and normalizes the data by inserting the data into the predefined columns of the tables in FIGS. 4A1, 4A2 and 4B.

Claim 2: The identifiers shown in the tables of FIGS 4A1, 4A2 and 4B include manufacturer’s identifiers, such as trademarks and part numbers, such as serial numbers (column marked “IP/SN”). The part numbers may be referred to as a “distributor part number”, as well as a manufacturer part number by reason that the manufacturer may also be considered a distributor.

Claim 3: Features of the product are stored in a product description field as shown in FIG. 4A1, and a product specification field as shown in FIG. 4A2.

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Claim 4: Each product illustrated in the tables of FIGS. 4A1, 4A2 and 4B includes an "IP/SN" which appears to be a unique product serial number.

Claim 5: The tables of FIGS 4A1, 4A2 and 4B define a relational database. As in any relational database, any row of the database is a tuple.

Claim 6: The database is controlled by SQL or formed on an SQL server (col. 12, line 45).

Claim 7: The database may be replicated in various servers (such as 11 and 12) as part of a distributed network (FIG. 2A1).

Claim 8: The distributed network may be the Internet (col. 11, line 18).

Claim 9: Any server in the system of FIG. 2A1 may be read as "third party servers" since they are separate from the facilities of the clients (c1....cn) and the manufacturers who provide the data.

Claim 10: Perkowski discloses the concept of gathering product information from diverse manufacturers and loading the product data into a database, as illustrated by the tables of FIGS. 4A1, 4A2 and 4B. For products that are already in the database, col. 25, lines 47-54) describe a procedure where product information, such as the URL, can be updated. In other words, the previous URL is translated into a new URL. The new URL reads as a "canonical representation". The previous URL or e-mail contact address for the manufacturer reads as the alias, which is used to contact the manufacturer in order to generate the new URL. For products that are not already in the database, the gathered data is formatted into the database and stored in the relational tables of FIGS. 4A1, 4A2 and 4B.

Claim 11: See remarks for claim 9.

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Claim 12: The information gathered by the system on Perkowski includes general descriptions, user ratings and reviews, general descriptions, vendors, prices and profiles (See FIGS. 4A1, 4A2 and 4B. The user can be displayed any of the information associated with a given product when a query for that product is made (col. 31, lines 5-26 and col. 31, lines 50-65).

Claim 13-15: When the user makes a query for a product, the user can be displayed a product/service list ("specifications" of col. 31, line 9); a class list ("incentives" of col. 31, line 14); and a feature list ("operations descriptions" of col. 31, line 11). The user can input selections for any one of these forms of feedback ("electronic data transactions screens" col. 31, line 14).

Claim 16: The user can be presented a picture of the product ("product simulation" col. 31, line 11).

Claim 17: The user can add information via updates (update field of FIG. 4A2).

Claim 18: The user can add ratings (product review information field of FIG. 4A2).

Claim 19: The reviews can comprise a plurality of reviews, either for one product or a collection of reviews based upon multiple products.

Claim 20: The user can be recommended complimentary products by the use of advertisements (product advertisement field in FIG. 4A2).

Claim 21: The character string associated with the product description can be linked to unique integer identifiers, such as serial numbers (FIG. 4A1). The tables of FIGS. 4A1, 4A2 and 4B, constitute a file and client queries involve traversing the data in this file.

Claim 22: See FIG. 4A1 in particular. Token integers (IP/SN) are associated with character strings (product descriptions). The row of the token integer indicates the row in which the characters of the product description can be found. The overall arrangement of the token

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integers and character strings form a look up table used to support search queries. The table may itself be defined as a single file in a server.

Remarks

Applicant's arguments have been considered.

Applicant argues that Perkowski does not disclose a plurality of identifiers for each product and relationships between the identifiers.

However, FIGS. 4A1, 4A2 and 4B clearly illustrate these features. Identifiers are the column headings illustrated in FIG. 4A1, 4A2 and 4B. These are identifiers by reason that they identify the types the data contained in the respective tables. The identifiers are related to each other by reason that are used in relational database tables. For example, "IP/SN" (serial number) is related to registrant's name by reason that they both appear in the same relational database table. They are also related to each other because they are both identifiers of data types (i.e. they are metadata).

Applicant also argues that the data within each row of the tables are not descriptors. For example, applicant argues that trademarks, such as "Power Mac" are not descriptors. Examiner maintains that trademarks are in fact readable ad descriptors of a product. It should also be observed that the table of FIG. 4A1 further includes specific columns of data which are specifically described as being product descriptions.

Applicant further argues that Perkowski allegedly does not disclose data collectors. In responding to Examiner's quotation of col. 25, lines 1-64 as illustrating data collectors, applicant argues that this portion of Perkowski only describes how a user finds a product, not data collector structures. Examiner disagrees. Perkowski discloses a variety of data collectors, such as

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commercial search engines, media advertisements, interactive solicitations, and electronic messaging, as just a few examples.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (703) 306-5626.



Sam Rimell  
Primary Examiner  
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